

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
:  
FULL CIRCLE UNITED, LLC, :  
:  
Plaintiff, :  
:  
vs. : Civil Action No.:  
: 1:20-CV-03395  
BAY TEK ENTERTAINMENT, INC., :  
:  
Defendant. :  
:

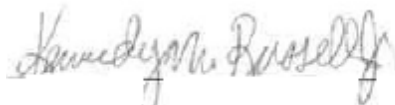
-----X  
BAY TEK ENTERTAINMENT, INC., :  
:  
Counterclaim Plaintiff, :  
:  
vs. : Civil Action No.:  
: 1:20-CV-03395  
FULL CIRCLE UNITED, LLC, :  
:  
Counterclaim Defendant. :  
:  
and :  
:  
ERIC PAVONY, :  
:  
Additional Counterclaim :  
Defendant. :  
:  
-----X

CERTIFICATE OF NONAPPEARANCE  
(Videoconference Proceedings)

I, Kennedy M. Russell, RPR, CRR, do hereby  
certify that I did appear via videoconference scheduled  
to begin Friday, December 17, 2021, at 10:00 a.m. for  
the purpose of reporting the deposition of George Petro,  
scheduled for 10:00 a.m.

SAID DEPONENT failed to appear via  
videoconference or dial in.

1                   Dated this 17th day of December, 2021, at  
2                   Tampa, Hillsborough County, Florida.

3                   

4                   KENNEDY RUSSELL, RPR, CRR  
5                   Veritext Legal Solutions  
6                   201 E. Kennedy Blvd., Ste 712  
7                   Tampa, FL 33602

8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

[03395 - york]

Page 3

<b>0</b>	<b>day</b> 2:1	<b>p</b>
<b>03395</b> 1:6,11	<b>december</b> 1:22 2:1	<b>pavony</b> 1:15
<b>1</b>	<b>defendant</b> 1:7,13 1:16	<b>petro</b> 1:22
<b>10:00</b> 1:22,23	<b>deponent</b> 1:24	<b>plaintiff</b> 1:4,10
<b>17</b> 1:22	<b>deposition</b> 1:22	<b>proceedings</b> 1:19
<b>17th</b> 2:1	<b>dial</b> 1:24	<b>purpose</b> 1:22
<b>1:20</b> 1:6,11	<b>district</b> 1:1,1	<b>r</b>
<b>2</b>	<b>e</b>	<b>reporting</b> 1:22
<b>201</b> 2:5	<b>e</b> 2:5	<b>rpr</b> 1:21 2:4
<b>2021</b> 1:22 2:1	<b>eastern</b> 1:1	<b>russell</b> 1:21 2:4
<b>25006</b> 2:3	<b>entertainment</b> 1:6	<b>s</b>
<b>3</b>	1:9	<b>scheduled</b> 1:21,23
<b>33602</b> 2:5	<b>eric</b> 1:15	<b>signature</b> 2:3
<b>7</b>	<b>f</b>	<b>solutions</b> 2:4
<b>712</b> 2:5	<b>failed</b> 1:24	<b>states</b> 1:1
<b>a</b>	<b>fl</b> 2:5	<b>ste</b> 2:5
<b>a.m.</b> 1:22,23	<b>florida</b> 2:1	<b>t</b>
<b>action</b> 1:5,11	<b>friday</b> 1:22	<b>tampa</b> 2:1,5
<b>additional</b> 1:16	<b>full</b> 1:3,12	<b>tek</b> 1:6,9
<b>appear</b> 1:21,24	<b>g</b>	<b>u</b>
<b>b</b>	<b>george</b> 1:22	<b>united</b> 1:1,3,12
<b>bay</b> 1:6,9	<b>h</b>	<b>v</b>
<b>blvd</b> 2:5	<b>hillsborough</b> 2:1	<b>veritext</b> 2:4
<b>c</b>	<b>k</b>	<b>videoconference</b> 1:19,21,24
<b>certificate</b> 1:19	<b>kennedy</b> 1:21 2:4,5	<b>vs</b> 1:5,11
<b>certify</b> 1:21	<b>l</b>	<b>x</b>
<b>circle</b> 1:3,12	<b>legal</b> 2:4	<b>x</b> 1:2,8,17
<b>civil</b> 1:5,11	<b>llc</b> 1:3,12	<b>y</b>
<b>counterclaim</b> 1:10 1:13,16	<b>m</b>	<b>york</b> 1:1
<b>county</b> 2:1	<b>m</b> 1:21	
<b>court</b> 1:1	<b>n</b>	
<b>crr</b> 1:21 2:4	<b>new</b> 1:1	
<b>cv</b> 1:6,11	<b>nonappearance</b> 1:19	
<b>d</b>		
<b>dated</b> 2:1		

FLORIDA RULES OF CIVIL PROCEDURE

Rule 1.310

(e) Witness Review. If the testimony is transcribed, the transcript shall be furnished to the witness for examination and shall be read to or by the witness unless the examination and reading are waived by the witness and by the parties. Any changes in form or substance that the witness wants to make shall be listed in writing by the officer with a statement of the reasons given by the witness for making the changes. The changes shall be attached to the transcript. It shall then be signed by the witness unless the parties waived the signing or the witness is ill, cannot be found, or refuses to sign. If the transcript is not signed by the witness within a reasonable time after it is furnished to the witness, the officer shall sign the transcript and state on the transcript the waiver, illness, absence of the witness, or refusal to sign with any reasons given therefor. The deposition may then be used as fully as though signed unless the court holds that the reasons given for the refusal to sign require rejection of

the deposition wholly or partly, on motion under rule 1.330(d)(4).

DISCLAIMER: THE FOREGOING CIVIL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY. THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE STATE RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS  
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

Veritext Legal Solutions is committed to maintaining the confidentiality of client and witness information, in accordance with the regulations promulgated under the Health Insurance Portability and Accountability Act (HIPAA), as amended with respect to protected health information and the Gramm-Leach-Bliley Act, as amended, with respect to Personally Identifiable Information (PII). Physical transcripts and exhibits are managed under strict facility and personnel access controls. Electronic files of documents are stored in encrypted form and are transmitted in an encrypted fashion to authenticated parties who are permitted to access the material. Our data is hosted in a Tier 4 SSAE 16 certified facility.

Veritext Legal Solutions complies with all federal and State regulations with respect to the provision of court reporting services, and maintains its neutrality and independence regardless of relationship or the financial outcome of any litigation. Veritext requires adherence to the foregoing professional and ethical standards from all of its subcontractors in their independent contractor agreements.

Inquiries about Veritext Legal Solutions' confidentiality and security policies and practices should be directed to Veritext's Client Services Associates indicated on the cover of this document or at [www.veritext.com](http://www.veritext.com).